

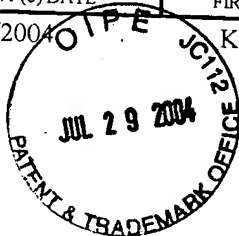


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,909	02/27/2004	Karapet Ablabutyan	23451-042

36614  
 MANATT PHELPS AND PHILLIPS  
 ROBERT D. BECKER  
 1001 PAGE MILL ROAD, BUILDING 2  
 PALO ALTO, CA 94304



CONFIRMATION NO. 8918

## FORMALITIES LETTER



\*OC000000012773177\*

Date Mailed: 05/25/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1.
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 3A - 3E.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

07/30/2004 MAHME1 00000046 501847 10789909

01 FC:1051

130.00 DA

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

BINH  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY

**FEE TRANSMITTAL**

JUL 29 2004

**for FY 2004**

Effective 10/1/2003. Patent fees are subject to annual revision.

**Complete if Known**

Application Number	10/789,909
Filing Date	02/27/2004
First Named Inventor	Karapet Ablabutyan
Examiner Name	3652
Art Unit	Not Assigned Yet
Attorney Docket No.	23451-042

**TOTAL AMOUNT OF PAYMENT**

(\$ 130.00)

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit  
Account  
Number  
Deposit  
Account  
Name

50-1847

Manatt Phelps &amp; Phillips LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>0.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		-20** =		X		=	
Multiple Dependent		-3** =		X		=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>0.00</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
<b>SUBTOTAL (3)</b>					<b>130.00</b>

**SUBMITTED BY**

Name (Print/Type)

Jinntung Su

Registration No.  
(Attorney/Agent)

42,174

(Complete if applicable)

Telephone

(650) 812-1300

Signature

Date

07/26/2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/789,909
Filing Date	02/27/2004
First Named Inventor	Karapet Ablabutyanyan
Art Unit	3652
Examiner Name	Not Assigned Yet
Attorney Docket Number	23451-042

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance communication<br>to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>Identify below):<br>Declaration; Notice to File<br>Missing Parts; Statement Under<br>37 CFR 3.73(b); Certificate of<br>Mailing; and Return Receipt<br>Postcard. |
| Remarks  |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
Or  
Individual nameManatt Phelps & Phillips LLP.  
Jinntong Su, Reg. No. 42,174

Signature

Date

7-26-04

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name Sheena Hicks

Signature

Date 07/26/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I file patent application of:

Karapet Ablabutyan

Application No.: 10/789,909

Filed: February 27, 2004

For: **LIFT WITH ACTIVE OPENER ARM**

Group Art Unit: 3652

Examiner: Not Assigned Yet

Confirmation No. 8918

Date Mailed: July 26, 2004

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application (Filing Date Granted) mailed May 25, 2004, response to which is due July 25, 2004, enclosed are the following:

1. Declaration;
2. Power of Attorney;
3. Notice to File Missing Parts of NonProvisional Application;
4. Statement Under 37 C.F.R. 3.73 (b); and

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on July 26, 2004  
Date of Deposit

Sheena Hicks  
Name of Person Mailing Correspondence  
7-26-04  
Date

Signature

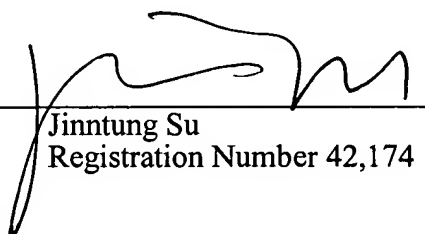
3. Postcard for date-stamped return as confirmation of receipt of these items.

Pursuant to 37 C.F.R. § 1.25(b), the Commissioner is hereby authorized to charge any additional fees to Deposit Account **50-1847** or to credit any overpayment to the same for all matters during the prosecution of this application. This authorization should be treated as a general authorization to charge fees set forth in 37 C.F.R. 1.16 or 1.17 to Deposit Account **50-1847** for the entire pendency of this application. A duplicate copy of this Response is enclosed for deposit charging purposes.

Respectfully submitted,

MANATT, PHELPS & PHILLIPS  
Attorneys for Applicants

Date: July 26, 2004

By:   
Jinntung Su  
Registration Number 42,174

Manatt, Phelps & Phillips, LLP  
1001 Page Mill Road, Building 2  
Palo Alto, CA 94304  
Phone: 650.812.1300  
Fax: 650.213.0260



## FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on July 26, 2004  
Date of Deposit

Sheena Hicks

Name of Person Mailing Correspondence

Sheena Hicks  
Signature

7-26-04  
Date

20115600.1

Serial/Patent No. 10/789,909

Filing/Issue Date: February 27, 2004

Client: Maxon Lift Corporation

Inventor(s): Karapet Ablabutyan

Title: LIFT WITH ACTIVE OPENER ARM

MPP File No.: 23451-042

Atty/Secty Initials: JSu/sh

Date Mailed: July 26, 2004

Docket Due Date: \_\_\_\_\_

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☒ Response to Notice of Missing Parts (2 pgs.)
- ☒ Notice to File Missing Parts (2 pgs.)
- ☒ Declaration (2 pgs.)
- ☒ Statement Under 37 C.F.R. 3.73 (b) (1 pg.)
- ☒ Power of Attorney (1 pg.)
- ☒ Transmittal Letter, in duplicate (1 pg.)
- ☒ Fee Transmittal, in duplicate (1 pg.)
- ☒ Certificate of Mailing (1<sup>st</sup> Class Mail) (1 pg.)
- ☒ Authorization to Charge Deposit Account 50-1847
- ☒ Return Receipt Postcard

Other: \_\_\_\_\_